



Senate

General Assembly

File No. 312

January Session, 2017

Senate Joint Resolution No. 39

Senate, March 29, 2017

The Committee on Government Administration and Elections reported through SEN. MCLACHLAN, M. of the 24th Dist. and SEN. FLEXER of the 29th Dist., Chairpersons of the Committee on the part of the Senate, that the joint resolution ought to be adopted.

***RESOLUTION APPROVING AN AMENDMENT TO THE STATE
CONSTITUTION TO PROTECT REAL PROPERTY HELD OR
CONTROLLED BY THE STATE.***

Resolved by this Assembly:

1 WHEREAS, at the 2016 regular session of the General Assembly of
2 the state of Connecticut, said General Assembly did approve, by at
3 least a majority, but by less than three-fourths, of the total membership
4 of each house, a resolution proposing an amendment to the
5 Constitution of the State which amendment, in accordance with article
6 sixth of the amendments to the Constitution, was published in the
7 manner prescribed therein and continued to the present regular
8 session of the General Assembly, and which resolution is as follows:

9 "Resolved by this Assembly:

10 That the following be proposed as an amendment to the
11 Constitution of the State, which, when approved and adopted in the
12 manner provided by the Constitution, shall, to all intents and
13 purposes, become a part thereof:

14 Article third of the Constitution is amended by adding section 19 as
15 follows:

16 Sec. 19. The general assembly shall not enact any legislation
17 requiring a state agency to sell, transfer or otherwise dispose of any
18 real property or interest in real property that is in the custody or
19 control of such agency to any person or entity other than another state
20 agency unless 1. the general assembly has held a public hearing
21 regarding such property or interest, and 2. the sale, transfer or
22 disposition is required by an act of the general assembly that is limited
23 in subject matter to provisions concerning such sale, transfer or
24 disposition and passed by a yea vote of at least two-thirds of the
25 membership of each house.

26 RESOLVED: That the foregoing proposed amendment to the
27 Constitution be continued to the next session of the General Assembly
28 elected at the general election to be held on November 8, 2016, and
29 published with the laws passed at the present session, or be presented
30 to the electors at the general election to be held on November 8, 2016,
31 whichever the case may be, according to article sixth of the
32 amendments to the Constitution. The designation of said proposed
33 amendment to be used on the ballots at such election shall be "Shall the
34 Constitution of the State be amended to require a public hearing and a
35 two-thirds vote of the General Assembly to authorize any sale, transfer
36 or disposition of state-owned or state-controlled real property or
37 interest in real property?"

38 NOW, THEREFORE, BE IT RESOLVED BY THIS ASSEMBLY: That
39 the said amendment so proposed is approved and that it be presented
40 to the electors at the general election to be held on November 6, 2018.

GAE *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 18 \$	FY 19 \$
Secretary of the State	GF - Cost	None	5,000

Note: GF=General Fund

Municipal Impact: None

Explanation

This resolution proposes an amendment to the State Constitution that the general assembly shall not enact legislation requiring a state agency to sell, transfer, or dispose of real property that is in the custody of a state agency without 1) holding a public hearing, and 2) that the sale is passed by a two-thirds vote in each chamber.

The Secretary of the State is anticipated to incur a cost of \$5,000 in FY 19 (for the November 2018 election) for providing posters with the proposed constitutional amendment question and explanation to each polling place in every municipality. The FY 19 cost may be shifted into FY 21 pursuant to the requirements of the constitutional amendment process.

This cost will cover the printing and mailing of the posters. Since all materials required for placing a constitutional amendment on the ballot are supplied by the State, and the vote will occur in a regularly scheduled statewide election, no costs will be incurred by municipalities.

The Out Years

The cost identified above is one-time. However, the FY 19 cost may

be shifted into FY 21 pursuant to the requirements of the constitutional amendment process, as noted above.

OLR Bill Analysis**SJ 39*****RESOLUTION APPROVING AN AMENDMENT TO THE STATE CONSTITUTION TO PROTECT REAL PROPERTY HELD OR CONTROLLED BY THE STATE.*****SUMMARY**

This resolution proposes a constitutional amendment that, with limited exceptions, prohibits the legislature from enacting legislation requiring a state agency to sell, transfer, or dispose of real property or interest in real property to non-state entities. Under the resolution, the legislature may require an agency to take such actions only if the legislature (1) holds a public hearing on the subject property and (2) passes, by a two-thirds vote of the membership of each chamber, an act whose subject matter is limited to such sale, transfer, or disposal.

The ballot designation to be used when the amendment is presented at the general election is: "Shall the Constitution of the State be amended to require a public hearing and a two-thirds vote of the General Assembly to authorize any sale, transfer or disposition of state-owned or state-controlled real property or interest in real property?"

EFFECTIVE DATE: The resolution will appear on the 2018 general election ballot. If a majority of those voting in the general election approves the amendment, it will become part of the state constitution.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable

Yea 16 Nay 0 (03/10/2017)